

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 27183 of 2005

Between:

Dasari Venkateswar Rao

..... PETITIONER

AND

The Divisional Engineer,

Andhra Pradesh Eastern Power Distribution Company Ltd,
(APEPDCL), Nidadavole,

West Godavari District and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in not taking any action on the application of the petitioner dated 14.10.2005 and taking coercive steps from disconnecting the service connection No.434, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing for the respondents.

The petitioner submits that he is an agriculturist, owning an extent of Ac.3.96 cents, situated at Pasivedala village, Kovvur Mandal, West Godavari District, and the record of right Patta No.288 and pass book was also issued in favour of the petitioner, showing the ownership of the said land in favour of the petitioner. It is stated that the petitioner, being an illiterate person, with the help of one P.Venkatarao, obtained electricity service connection bearing Service Connection No.434 and the said service connection is in the lands of the petitioner bearing Survey No.189 of Pasivedala village. There is a mistake occurred in respect of recording the name of the petitioner, and in stead of entering the name of the of the petitioner, the name of one P.Venkatarao was entered in the records of the respondents. Therefore, the petitioner made a representation to the respondents on 14.10.2005, requesting to change the name in respect of the said service connection No.434. But the said representation has not been considered and disposed of. It is further stated that all the service connections in respect of agricultural wells/bore wells have been exempted by the Electricity Department and there cannot be any objection to transfer the said service connection. It is also stated that the petitioner filed a transfer application form along with no objection letter of the said P.Venkatarao. But the respondents have not considered and disposed of the same.

It is stated that the said P.Venkatarao is having more than three service connections. This service connection is also accounted in his name, and therefore, the

respondents have issued a bill for payment of electricity charges. In fact, the said service connection does not belong to the said P.Venkatarao, but instead of rectifying the mistake, the respondents are collecting the electricity charges.

Having regard to the facts and circumstances of the case, the respondents are directed to consider the application of the petitioner dated 14.10.2005 for transfer of service connection No.434 in his favour and pass appropriate orders thereon, in accordance with law, within a period of 10 (ten) days from the date of receipt of a copy of this order. Till then, the respondents shall not take any coercive steps for collection of electricity charges.

With the above observations, the Writ Petition is disposed of. No order as to costs.

V.ESWARAIAH,J

Dated: 21.12.2005

Dsr